IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 13TH JUNE 2007 / 23RD JYAISHTA 1929

Bail Appl..No. 3545 of 2007

AGAINST THE ORDER IN LPC. 17/2005 IN
CC.392/2001 of C.J.M.,KASARAGOD
CRIME NO.109/2001 OF KUMBLA POLICE STATION

.....

PETITIONER/ACCUSED

RAZAK, S/O.MOOSA,
KARKULAM KUNNU, BUMBRANA VILLAGE,
KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON
SMT.GOVINDU P.RENUKADEVI

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REP.BY
SHO KUMBLA POLICE STATION,
REP.BY PUBLIC PROSECUTOR,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No.3545/2007

DATED: 13-6-2007

O R D E R

Petitioner who is the accused in Crime No.109/2001 of Kumbla Police Station for offences punishable under Sections 143, 147, 148, 341, 323 and 324 IPC read with section 149 I.P.C., seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.C. No.392/2001 on the file of the C.J.M, Kasaragod, the case against the petitioner has been transferred to the Long Pending Case Register as L.P. Case No.17/2005. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed after considering the explanation offered by the petitioner for his previous non-appearance and also considering the contention of the petitioner that the co-accused in the case had been acquitted after trial.

With the above observation this application is disposed of.

V.RAMKUMAR,
JUDGE.

mrcs